



Express Mail No.: EV 473 972 135 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Nielsen *et al.*

Confirmation No.: 5726

Serial No.: 10/612,665

Art Unit: 1649

Filed: July 1, 2003

Examiner: Kimberly A. Ballard

For: RECOMBINANT TISSUE  
PROTECTIVE CYTOKINES AND  
ENCODING NUCLEIC ACIDS  
THEREOF FOR THE PROTECTION,  
RESTORATION AND  
ENHANCEMENT OF RESPONSIVE  
CELLS, TISSUES AND ORGANS

Attorney Docket No: 10165-022-999

**AMENDMENT UNDER 37 C.F.R. § 1.111**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated February 23, 2007, ("Office Action") and pursuant to the Rules of Practice, please enter the following amendments and consider the following remarks. Enclosed herewith are: (1) an Amendment Fee Transmittal Sheet; (2) Exhibit A: Jacobs K. *et al.*, 1985. "Isolation and characterization of genomic and cDNA clones of human erythropoietin," *Nature* 313(6005):806-810; (3) Exhibit B: Villa, P. *et al.*, 2007. "Reduced functional deficits, neuroinflammation, and secondary tissue damage after treatment of stroke by nonerythropoietic erythropoietin derivatives," *J of Cerebral Blood Flow & Metabolism* 27:552-563; (4) copy of Declaration of Michael L. Brines submitted in U.S. Application Serial Number 09/716,960; and (5) Petition for Extension of Time for three months.

Applicants respectfully request that the amendments and remarks made herein be entered into the record of the instant application. Please charge all required fees to Deposit Account No. 50-3013.

08/27/2007 RMEBRAHT 00000007 503013 10612665  
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**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** begin on page 6 of this paper.

**Remarks** begin on page 16 of this paper.